

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In Re:

Peterson, Daniel Jerome & Peterson, Susan Jane  
Debtors

Case No: 10-38650

Chapter 13

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NOTICE OF PRE-CONFIRMATION CHAPTER 13  
MODIFICATION OF PLAN

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To: Jasmine Keller, Chapter 13 Trustee, and all parties in interest:

PLEASE TAKE NOTICE THAT on January 27, 2011, at 10:30 A.M., before the Honorable Gregory F Kishel, Courtroom 2A, 2<sup>nd</sup> Floor, 316 North Robert Street, St. Paul, Minnesota, the Court will hold a hearing on the proposed modified plan of the above-named debtor. A copy of the modified plan was mailed January 7, 2011 and filed January 10, 2011 via CM/ECF.

Dated: January 10, 2011

/e/ Nicole Anderson

ANDERSON & ASSOCIATES, LLC  
Nicole Anderson  
Attorney ID 0336038  
1650 11<sup>th</sup> Ave SW, Suite 203  
Forest Lake, MN 55025  
Telephone: 651-464-8510  
Facsimile: 651-464-8513

United States Bankruptcy Court  
District of Minnesota

IN RE:

Case No. 10-38650

Peterson, Daniel Jerome & Peterson, Susan Jane  
Debtors(s)

Chapter 13

SIGNATURE DECLARATION

- PETITION, SCHEDULES & STATEMENTS
- CHAPTER 13 PLAN
- SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION
- AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
- MODIFIED CHAPTER 13 PLAN
- OTHER (Please describe) \_\_\_\_\_

I (We), the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct.

The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct.

[Individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number.

I consent to my attorney electronically filing with United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable, and

[corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 12/7/10

X

Signature of Debtor or Authorized Representative

Daniel Jerome Peterson

Printed Name of Debtor or Authorized Representative

X

Susan Jane Peterson

Signature of Joint Debtor

Susan Jane Peterson

Printed Name of Joint Debtor

**United States Bankruptcy Court  
District of Minnesota**

**IN RE:**

Peterson, Daniel Jerome & Peterson, Susan Jane

Debtor(s)

Case No. 10-38650

Chapter 13

**CHAPTER 13 PLAN**

Dated: January 10, 2011

**1. PAYMENTS BY DEBTOR TO TRUSTEE –**

- a. As of the date of this plan, the debtor has paid the trustee \$ 0.00.
- b. After the date of this plan, the debtor will pay the trustee \$ varies<sup>1</sup> per month for **60** months, beginning within 30 days after the filing of this plan for a total of \$ 12,594.00. The minimum plan length is  36 or  60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- c. The debtor will also pay the trustee: n/a
- d. The debtor will pay the trustee a total of \$ 12,594.00 [line 1(a) + line 1(b) + line 1(c)].

<sup>1</sup> 46 payments of \$100.00 followed by 14 payments of \$571.00

**2. PAYMENTS BY TRUSTEE –** The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ 1,259.40, [line 1(d) x .10].

**3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] –** The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

| Creditor     | Number<br>Monthly<br>Payment | of<br>Months | TOTAL<br>PAYMENTS |
|--------------|------------------------------|--------------|-------------------|
| <b>None</b>  |                              |              |                   |
| <b>TOTAL</b> |                              |              | <b>0.00</b>       |

**4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] –** The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

| Creditor    | Description of Property |
|-------------|-------------------------|
| <b>None</b> |                         |

**5. CLAIMS NOT IN DEFAULT –** Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

| Creditor                      | Description of Claim   |
|-------------------------------|--|
| <b>DEERE &amp; COMPANY</b>    | <b>John Deere 3520 Compact Utility Tractor with John Deere 300 Homestead located at 19372 Franconia, Shafer, Minnesota 550</b> |
| <b>Wells Fargo Hm Mortgag</b> |  |

**6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] –** The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

| Creditor            | Amount of<br>Default | Beginning<br>Monthly<br>Payment | Number<br>in<br>Month # | Number<br>of<br>Payments | TOTAL<br>PAYMENTS |
|---------------------|----------------------|---------------------------------|-------------------------|--------------------------|-------------------|
| <b>Central Bank</b> | <b>1,500.00</b>      |                                 | <b>83.33</b>            | <b>18</b>                | <b>18</b>         |
| <b>TOTAL</b>        |                      |                                 |                         |                          | <b>1,500.00</b>   |

**7. CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)] –** The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

| Creditor     | Amount of<br>Default | Int. rate<br>(if any) | Beginning<br>Monthly<br>Payment | Number<br>in<br>Month # | Number<br>of<br>Payments | TOTAL<br>PAYMENTS |
|--------------|----------------------|-----------------------|---------------------------------|-------------------------|--------------------------|-------------------|
| <b>None</b>  |                      |                       |                                 |                         |                          |                   |
| <b>TOTAL</b> |                      |                       |                                 |                         |                          | <b>0.00</b>       |

**8. OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)]** – The trustee will pay, on account of the following allowed secured claims, the amount set forth in the “Total Payments” column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor’s discharge. NOTWITHSTANDING A CREDITOR’S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR’S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR’S ALLOWED SECURED CLAIM.

| Creditor     | Claim Amount | Secured Claim | Int. Rate | Beginning in Month # | Number of Monthly Payment Payments | Payments on Account of Payment | Adequate Protection Claim | TOTAL from ¶ 3 PAYMENTS |
|--------------|--------------|---------------|-----------|----------------------|------------------------------------|--------------------------------|---------------------------|-------------------------|
| None         |              |               |           |                      |                                    |                                |                           |                         |
| <b>TOTAL</b> |              |               |           |                      |                                    |                                |                           | <b>0.00</b>             |

**9. PRIORITY CLAIMS** – The trustee will pay in full all claims entitled to priority under § 507, including the following. *The amounts listed are estimates.* The trustee will pay the amounts actually allowed.

| Creditor                   | Estimate Claim | Beginning in Month # | Number of Payments | TOTAL PAYMENTS  |
|----------------------------|----------------|----------------------|--------------------|-----------------|
| Anderson & Associates, LLC | 1,574.00       | 87.44                | 1                  | 18              |
| <b>TOTAL</b>               |                |                      |                    | <b>1,574.00</b> |

**10. SEPARATE CLASSES OF UNSECURED CREDITORS** – In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows:

The trustee will pay the allowed claims of the following creditors. *All entries below are estimates.*

| Creditor     | Int. Rate (if any) | Claim Amount | Beginning in Month # | Number of Payments | TOTAL PAYMENTS |
|--------------|--------------------|--------------|----------------------|--------------------|----------------|
| None         |                    |              |                      |                    |                |
| <b>TOTAL</b> |                    |              |                      |                    | <b>0.00</b>    |

**11. TIMELY FILED UNSECURED CREDITORS** – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 8,260.60 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f), and 10(c)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$ 0.00.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$ 46,300.57.
- Total estimated unsecured claims are \$ 46,300.57 [line 11(a) + line 11(b)].

**12. TARDILY-FILED UNSECURED CREDITORS** – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 6, 7, 8, 9, 10, or 11 will be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

**13. OTHER PROVISIONS** – The trustee may distribute additional sums not expressly provided for herein at the trustee’s discretion.

1. Proof of claims received after the deadline shall not be paid by the Trustee and discharged upon completion of plan.

2. Pursuant to 11 USC 1305 the IRS and MN DEPT OF REV, shall be allowed to file, and the trustee shall pay, post-petition claims for tax year 2010.

3. The debtor(s) shall provide the trustee with copies of the debtor's federal and state income tax returns annually for the duration of the chapter 13 case. The debtor(s) may keep the first \$1200 of the combined federal and state tax refunds. Any amount in excess of \$1,200 shall be paid to the trustee as an additional plan payment.

#### 14. SUMMARY OF PAYMENTS –

|                                     |    |                  |
|-------------------------------------|----|------------------|
| Trustee's Fee [Line2]               | \$ | 1,259.40         |
| Home Mortgage Defaults [Line 6(d)]  | \$ | 1,500.00         |
| Claims in Default [Line 8(d)]       | \$ | 0.00             |
| Other Secured Claims [Line 8(d)]    | \$ | 0.00             |
| Priority Claims [Line 9(f)]         | \$ | 1,574.00         |
| Separate Classes [Line 10(c)]       | \$ | 0.00             |
| Unsecured Creditors [Line 11]       | \$ | 8,260.60         |
| <b>TOTAL</b> [must equal Line 1(d)] | \$ | <b>12,594.00</b> |

Nicole Anderson 0336038  
Anderson & Associates, LLC  
1650 11th Ave SW, Suite 203  
Forest Lake, MN 55025  
(651) 464-8510

Signed: /s/ Daniel Jerome Peterson \_\_\_\_\_  
DEBTOR

Signed: /s/ Susan Jane Peterson \_\_\_\_\_  
DEBTOR (if joint case)

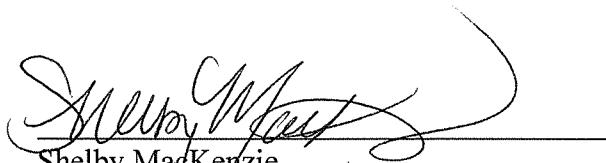
Peterson, Daniel and Susan Case No. 10-38650

**FORM 9001-1 UNSWORN CERTIFICATE OF SERVICE**

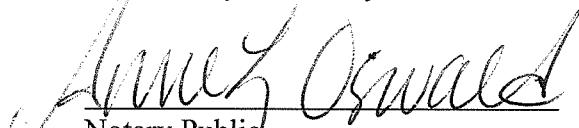
**UNSWORN CERTIFICATE OF SERVICE**

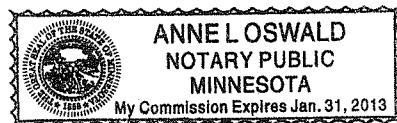
I, Shelby MacKenzie, declare under penalty of perjury that on January 10, 2011, I mailed a Chapter 13 plan dated January 10, 2011 by first class postage prepaid to the attached list and via CM/ECF and an Amended Notice of Pre-Confirmation Chapter 13 Modification of Plan via CM/ECF only.

Dated: 1/10/11

  
Shelby MacKenzie  
1650 11<sup>th</sup> Ave SW, Suite 203  
Forest Lake, MN 55025  
Telephone: (651) 464-8510

Subscribed and sworn to before me  
this 10<sup>th</sup> day of January 2011.

  
Anne L. Oswald  
Notary Public



Central Bank  
PO Box 225  
Stillwater, MN 55082-0225

DEERE & COMPANY  
PO BOX 6600  
JOHNSTON, IA 50131-6600

Diagnostic Radiology Assoc. Of WI  
1024 N Main St  
Rice Lake, WI 54868-1236

Firstsource Advantage, LLC  
205 Bryant Woods S  
Buffalo, NY 14228-3609

Hsbc/menards  
90 Christiana Rd  
New Castle, DE 19720-3118

Internal Revenue Service  
Centralized Insolvency Operation  
PO Box 21126  
Philadelphia, PA 19114-0326

Lakeview Hospital  
State Collection Service  
2509 S Stoughton Rd  
Madison, WI 53716-0250

Midwest Spine Institute  
1950 Curve Crest Blvd W Ste 100  
Stillwater, MN 55082-6062

Minnesota Department Of Revenue  
PO Box 64649  
Saint Paul, MN 55164-0649

Minnesota Lung Center, Ltd.  
920 E 28th St Ste 700  
Minneapolis, MN 55407-1163

Ncb Management Services  
PO Box 1099  
Langhorne, PA 19047-6099

Northland Cc  
3617 Vera Cruz Ave N  
Minneapolis, MN 55422-2049

Osceola Medical Center  
PO Box 218  
Osceola, WI 54020-0218

Pulmonary & Critical Care Association  
225 Smith Ave N Ste 300  
Saint Paul, MN 55102-2592

SRA Associates, Inc.  
401 Minnetonka Rd  
Somerdale, NJ 08083-2914

State Collection Service, Inc.  
2509 S Stoughton Rd  
PO Box 6250  
Madison, WI 53716-0250

State Farm Bank, FSB  
ATTN: BCC Bankruptcy  
PO Box 2328  
Bloomington, IL 61702-2328

Thd/cbsd  
PO Box 6497  
Sioux Falls, SD 57117-6497

Wells Fargo Hm Mortgag  
8480 Stagecoach Cir  
Frederick, MD 21701-4747

Wfnnb/gander Mountain  
4590 E Broad St  
Columbus, OH 43213-1301

Worlds Foremost Bank N  
4800 NW 1st St  
Lincoln, NE 68521-4463